THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.18292 OF 2005

DATED:22.9.2005

Between:

S. Manohar

…Petitioner

And

The District Collector, Ananthapur District and others

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.18292 OF 2005

ORDER:

The petitioner is resident of Rahmatpuram of Hindupur Town. He filed the Writ Petition seeking a direction to the Mandal Revenue Officer to submit a report to the first respondent as per letter dt.1.3.2005.

It is the case of the petitioner that in 1982 his father was granted a house site patta. The petitioner obtained loan from the mother-in-law of third respondent at a very high rate of interest. He was unable to pay the loan amount. When there was pressure on him to do so, he alleged that he ran away from the family and the place. He alleged that after he returned he found that, third respondent occupied the house forcibly as petitioner owes a sum of Rs.40,000/-. The petitioner therefore made a

representation to first respondent for cancellation of bogus patta granted to third respondent, which was forwarded to second respondent on 1.3.2005 directing to conduct enquiry in the matter. Second respondent did not conduct any enquiry, and hence the petitioner filed this petition.

When the matter came up before this Court on 30.8.2005, learned Assistant Government Pleader for Revenue (Assignment) was directed to get instructions in the matter. On the next day, learned Assistant Government Pleader submitted that even before petitioner filed Writ Petition, Mandal Revenue Officer initiated action, issued notice to petitioner, third respondent and one Yallamma and conducted enquiry on 31.5.2005. This was vehemently denied by the learned counsel for the petitioner. The learned Assistant Government Pleader who was directed to file counter, also submitted record.

In the counter affidavit it is stated that pursuant to orders of the first respondent, second respondent issued notices to all concerned, recorded statements and submitted report. The record produced by the learned Government Pleader would amply strengthens the case of the respondents. Therefore, this Court holds that the Writ Petition is filed by making false allegations, which would amount to perjury, and producing false evidence before this Court. However, taking a lenient view, this Court does not propose any further action in the matter.

The Writ Petition is devoid of merits and is accordingly dismissed.

(V.V.S.RAO, J)

22.9.2005

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